

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS

VICTORIA DIVISION

COURTNEY R. MORGAN	§	
	§	
V.	§	CIVIL ACTION NO. V-12-031
	§	
BANK OF AMERICA, N.A.	§	
and FEDERAL HOME LOAN	§	
MORTGAGE CORPORATION	§	

ORDER

Before the Court is the “Defendant’s Motion to Dismiss the First Amended Original Complaint” of Plaintiff, Courtney R. Morgan. Having reviewed the parties’ relevant submissions and having learned, at a Hearing on July 30, 2014, that no discovery has been done, the Court has serious doubts as to the wisdom of possibly terminating this case before all relevant discovery has been completed. Cf. Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 255 (1986) (District Court has discretion to deny summary judgment where there is reason to believe the better course is to proceed to a full trial.)

It is, therefore, **ORDERED** that the “Motion to Dismiss” (Instrument no. 28) of Defendants, Bank of America, N.A. and Federal Home Loan Mortgage Corporation, is **DENIED**.

The Defendants, of course, are free to file a Motion for Summary Judgment at any time they deem to be appropriate after adequate discovery.

DONE at Galveston, Texas, this _____ 4th _____ day of August, 2014.



John R. Froeschner
United States Magistrate Judge